

## Message Text

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ACTION EB-08

INFO OCT-01 CIAE-00 COME-00 DODE-00 NSAE-00 USIA-06 TRSE-00

EUR-12 ERDA-05 ISO-00 /032 W

-----161256Z 062861 /43

R 161252Z FEB 77

FM USMISSION OECD PARIS

TO SECSTATE WASH DC 5340

C O N F I D E N T I A L OECD PARIS 04669

EXCON

E.O. 11652: XGDS1

TAGS: ESTC, COCOM

SUBJ: ADMINISTRATIVE EXCEPTION TREATMENT FOR NEUTRON

GENERATOR - AEL 40

REFS: A) OECD PARIS 3897, B) COCOM DOC. (77) 40/DEF)

AEL 40/1, OECD PARIS 2403

1. CHAIRMAN OPENED DISCUSSION FEBRUARY 15 OF PROCEDURAL QUESTION WHETHER EQUIPMENT WAS ELIGIBLE FOR ADMINISTRATIVE EXCEPTION TREATMENT AUTOMATICALLY ON COMMITTEE APPROVAL OF EXCEPTION REQUEST, OR WHETHER FURTHER DISCUSSION WAS REQUIRED FOR THAT PURPOSE. HIS LENGTHY STATEMENT, REVIEWING DEBATE IN 1971 LIST REVIEW ON US COUNTERPROPOSAL, ENDORSED VIEW THAT SEPARATE DISCUSSION WAS NEEDED. HE CITED US COMPARISONS TO PROCEDURES UNDER IL'S 1510 AND 1564.

2. USDEL ARGUED CONTRARY VIEW, RELYING ON US AND UK STATEMENTS IN DOC REV (71) AEL 40/2, AS WELL AS ON LANGUAGE OF THE NOTE ITSELF. HE SAID OUR INTENTION HAD ALWAYS BEEN THAT EXCEPTIONS PROCEDURE WOULD BE AN ACCEPTABLE WAY OF HAVING EQUIPMENT INSCRIBED UNDER IN 18, AND OBSERVED THAT WHILE NOTE 6 TO IL 1564 ESTABLISHED A CONFIDENTIAL

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SOMEWHAT SIMILAR PROCEDURE, ITS LANGUAGE WAS QUITE DIFFERENT AND THERE WAS NO REASON TO CITE IT AS CONTROLLING ON AEL 40. UKDEL SUPPORTED HIM, BUT SAID HE WAS AWAITING MORE PRECISE INSTRUCTIONS FROM LONDON. NETHERLANDS SUPPORTED CHAIRMAN'S VIEW. BELGIAN SAID HE HAD BEEN OPEN-MINDED BUT THAT ON HEARING CHAIRMAN'S STATEMENT HE WOULD SEEK FRESH INSTRUCTIONS. JAPAN SUPPORTED

US. OTHER DELS WERE WITHOUT INSTRUCTIONS ON THE QUESTION OF PROCEDURE.

3. ON QUESTION OF ADDING THE EQUIPMENT TO IN 18, ALL DELS APPROVED EXCEPT FRENCH, WHO IS STILL AWAITING INFORMATION ON DIMENSIONS OF TUBE, AND ITALIAN,WHO WAS WITHOUT INSTRUCTIONS. GERMAN DEL. ALSO REQUIRES ANSWERS TO HIS QUESTIONS.

4. THE PROCEDURAL SITUATION IS NOW UNCLEAR. WHEN MATTER IS DISCUSSED AGAIN MARCH 1, COMMITTEE MAY BE DIVIDED, WITH RESULT THAT WHEN FUTURE EXCEPTIONS REQUESTS OF THIS NATURE ARE SUBMITTED SOME MEMBERS WILL REFUSE TO AGREE, AFTER APPROVING THEM, TO LISTING OF THE EQUIPMENT UNDER IN 18 WITHOUT FURTHER DISCUSSION.

5. FOLLOWING INSTRUCTIONS ARE URGENTLY NEEDED:

A) ANSWERS TO FRENCH AND GERMAN QUESTIONS;

B) A STATEMENT OF THE TECHNICAL (OR OTHER) CONSIDERATIONS WHICH UNDERLAY THE US VIEW IN 1971 LIST REVIEW THAT SUCH EQUIPMENT, ONCE APPROVED FOR EXPORT BY THE COMMITTEE, SHOULD IMMEDIATELY BE ELIGIBLE FOR ADMINISTRATIVE EXCEPTION TREATMENT. SUCH A STATEMENT MIGHT HELP BRING OTHER DELS TO OUR VIEW.  
KATZ

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## Message Attributes

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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009